

JC02 Rec'd PTC 01 SEP 2005

#4

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited via first class mail to U.S. Patent and Trademark Office on the date shown below:

Agata Glinska  
Agata Glinska

Date: August 30, 2005



Attorney Docket No.: 101141-21

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT	:	Lia Raquel CHAN et al.
SERIAL NO.	:	10/520,033
CUSTOMER NO.	:	27387
FILED	:	May 2, 2003
FOR	:	Transcription Factor Gene Induced by Water Deficit Conditions and Abscisic Acid from Helianthus Annuus, Promoter and Transgenic Plants
ART UNIT	:	TBA
EXAMINER	:	TBA

Mail Stop: Sequence  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 30, 2005

RESPONSE TO NOTICE TO COMPLY WITH SEQUENCE LISTING  
REQUIREMENTS

SIR:

On August 9, 2005 my legal assistant, Agata Glinska, spoke with Karen Williams from the Patent Office. It was believed that applicants had previously submitted the sequence listing in paper and electronic form. However, Ms Williams stated that the Patent Office for some reason did not receive the sequence listing in electronic form. Ms. Williams requested the resubmission of the sequence listing in diskette format and to include a paper copy of the sequence listing. Thus, attached is a diskette containing the sequence listing and a paper copy of the sequence listing.

The undersigned hereby certifies that the substitute paper copy of the Sequence Listing does not introduce new matter and certifies that the content of the substitute paper Sequence Listing and the substitute computer readable form copy is the same and includes no new matter.

**CONDITIONAL PETITION FOR EXTENSION OF TIME**

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefore. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

**ADDITIONAL FEE**

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

**CONCLUSION**

Early and favorable action is earnestly solicited.

Respectfully submitted,

NORRIS McLAUGHLIN & MARCUS, P.A.

By \_\_\_\_\_

  
Paul S. Lim

Attorney for Applicant(s)

Reg. No. 55,383

875 Third Avenue - 18<sup>th</sup> Floor

New York, New York 10022

Phone: (212) 808-0700

Fax: (212) 808-0844


**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,033	Lia Raquel Chan	101141-21 <i>BSL/PSL</i>
INTERNATIONAL APPLICATION NO.		
PCT/US03/13770		
I.A. FILING DATE		PRIORITY DATE
		05/02/2003
<b>CONFIRMATION NO. 2792</b> <b>371 FORMALITIES LETTER</b>  *OC000000016444939*		

Date Mailed: 07/05/2005

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Additionally the following defects have been observed:

- The International Search Report has not be supplied, the basic National Filing Fee has been adjusted to reflect this omission.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951

- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

KAREN M WILLIAMS

---

Telephone: (703) 308-9140 EXT 213

**PART 1 - ATTORNEY/APPLICANT COPY**

---

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,033	PCT/US03/13770	101141-21

FORM PCT/DO/EO/922 (371 Formalities Notice)